BOMBAY REGULATION XXIX of 1827.[1]

[*1st August 1827*]

Repealed in part, by Bom. Reg. 4 of 1828 ;

" " " " Act 6 of 1842 ;

" " " " " 11 of 1846 ;

" " " " " 4 of 1868 ;

" " " " " 14 of 1869 ;

" " " " " 10 of 1876 ;

" " " " " 12 of 1876 ;

" " " " " 4 of 1894 ;

Supplemented, by Bom. Reg. I of 1831, as amended by Bom. Reg. 16 of 1831, s. 2 ;

Supplemented, by Act 19 of 1835.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

Adapted and modified by the Adaptation of Laws Order, 1950.

A Regulation for bringing under the operation of the Regulations the Bombay territories in the Dekkhan and Khandesh.

Preamble. WHEREAS, subsequently to the conquest by the Company of the territories of the late Peshwa, in the Dekkhan and Khandesh, and the acquisition from other States by treaties and agreements of other territories within the said countries, the governments of all the said territories have, with the view of avoiding the abrupt introduction of extensive change, been conducted under the orders of the Governor in Council constituting a system which was calculated gradually to prepare the way for the introduction of the general rules of the [2]* * administration ;

and whereas the Regulations for the administration of the Bombay territories have in the meantime been revised, and it has now been judged expedient to bring the territories in the Dekkhan and Khandesh under the revised Regulations, being the first [3]twenty-six (26) Regulations of 1827, with certain modifications ;

the following rules have been enacted [4]* * * *

---

[1] As to the application of Bom. Reg. 29 of 1827 to the Southern Maratha Country (Dharwar District), *see* Bom. Reg. 7 of 1830 as amended by Act, 16 of 1895. As to its application to certain other territory, *see* Bom. 3 of 1863, s. 4, and Bom. 14 of 1866, s. 3. *Cf* s. 4 of the Code of Civil Procedure, 1908 (5 of 1908).

[2] The word "British" was omitted by the Adaptation of Laws Order, 1950.

[3] Most of these Regulations have been repealed—*see* Chronological Tables of the Indian Statutes The unrepealed portions of the others are printed on the preceding pages.

[4] The words and figures "to have effect from the 1st September 1827", were repealed by the Repealing Act, 1876 (12 of 1876).

Regulations made applicable to Dekkhan and Khandesh.

2. *First.*—The first [1]twenty-six (26) Regulations of 1827 [2]* * * * shall, from the 1st September, 1827, be of force and effect, except as specifically enacted to the contrary, throughout the Bombay territories in the Dekkhan and Khandesh, consisting of the zilas of Puna and Ahmadnagar, as described in Appendix A to this Regulation [3]* * * * *

Second.—[*Fees*] *Rep. Act XII of 1876.*

Persons excluded from jurisdiction of Courts.

3. *First*—With reference to the said zilas, [4]* * * * suits against certain persons of rank, as hereinafter specified shall not come under the jurisdiction of the Civil Courts.

List to be furnished to Judge.

Second.—A [5]list of the said persons of rank will be furnished by [6][the [7][State] Government] to the Judge, who will, on application, communicate the same to any person who, as plaintiff or defendant, may show that his interest requires his being supplied with that information.

Agent to be appointed for trial of suits against them.

4. *First.*—An [8]Agent of [6][the [7][State] Government] shall be specially appointed for the purpose of receiving and trying and deciding all complaints of a Civil nature which would, under the ordinary rules, be cognizable by either of the Judges of Puna and Ahmadnagar against any of the persons [9]contemplated in the preceding section : he shall be furnished with a list of the [10]said persons of rank, and with instructions descriptive of the respective rules of procedure to be followed in the case of each such person, and he shall communicate to any individual making application so much of the above-mentioned information as such individual may show to be important to his own interest.

List and instructions to be furnished to him.

List and instructions what to comprise and provide

Second.—The list above-mentioned shall comprise three (3) classes of persons of rank ; and the instructions above-mentioned shall provide three (3) several modes of procedure, applicable respectively to each class of the said persons of rank.

Conduct of suits against first class persons.

5. *First.*—Suits against the persons belonging to the first of the classes comprised in the Agent's list, being individuals of the very first distinction and influence under the Peshwa's Government on account of their birth, their political importance, or the religious estimation in which they were held, shall be conducted and decided by the

---

[1] Most of these Regulations have been repealed—*see* Chronological Tables of the Indian Statutes. The unrepealed portions of the others are printed on the preceding pages.

[2] The words "with the exception of Regulation XVIII and of any enactments relating to stamps" were repealed by the Repealing and Amending Act, 1894 (4 of 1894).

[3] The words and figures "and the said territories are hereby further brought under the operation of the Regulations according as they may apply, to be passed from and after the first September, 1827, for the government of the territories subordinate to the Presidency of Bombay" were repealed by the Repealing Act, 1876 (12 of 1876).

[4] The words and figures "it is hereby enacted that, in modification of the rules contained in Reg. II-A D. 1827, Sections XXI and XXXVII, clause first" were repealed by Act 12 of 1876.

[5] As to appeals from decisions passed by jagirdars included in this list, *see* Bom. Reg. 13 of 1830, s. 3. As to Courts having power to take cognizance of land-suits in which persons included in this list are concerned as defendants, *see* Bom. Reg. 1 of 1831, and Bom. Reg. 16 of 1831.

[6] The words "the Provincial Government" were substituted for the word "Government" by the Adaptation of Indian Laws Order in Council.

[7] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[8] As to transfer of suits to the Assistant Agent, *see* Act 19 of 1835.

[9] As to land-suits in which such persons are concerned as defendants, *see* Bom. Reg. 1 of 1831, and Bom. Reg. 16 of 1831, s. 2.

[10] *Cf.* Section 4 of the Code of Civil Procedure, 1908 (Act 5 of 1908).

Agent, reference being had in the most ample degree to the privileges of the defendant by former usage and custom enjoyed, and to other peculiar characteristics of the case conformable to like usage and custom ;

Decrees not to be executed without reference to [1][State] Government. Appeal.

and no decree against any such defendant shall be enforced until the suit and all proceedings thereon shall have been referred to the [1][[2]State] Government] [to [3][which] also the plaintiff may appeal], [3]which, as a special superior Court for the adjustment of such suits, will pass such order thereon as [4][it] may deem just and equitable, an appeal to the [5][Supreme Court] being open to either party.

Conduct of suit against second class persons.

Second.—Suits against the persons belonging to the second of the classes comprised in the Agent's list, being individuals not equal in consideration to those above adverted to, but of high rank and importance under the Peshwa's Government, shall be conducted and tried by the Agents, reference being had in a great degree and in conformity to former usage and custom, to the rank of the defendant, his situation and privileges, under the Peshwa's Government, as affecting his creditor's means of compelling payment during that period, his present means of discharging the debt, and other points material to the real equity of the plaintiff's claim and the defendant's liability.

Appeal to [1][State] Government.

An appeal against the Agent's decision to the superior Court of the [1][[2]State] Government], as above constituted, shall be open to either party;

Limitation.

the petition of appeal shall be presented either to the Agent or [6][to the [2]State] Government] within ninety (90) days (which period may be extended for good reasons) after the Agent's decision was passed : the rules for trial and decision of such appeal shall be the same as those prescribed for the original trial of the suit and a final appeal to the [5][Supreme Court] shall be open to either party.

Conduct of suits against third class persons.

Third.—Suits against the persons belonging to the third of the classes comprised in the Agent's list, being individuals inferior in rank to those of the classes previously described, but still equitably entitled, on account of the privileges hitherto enjoyed by them, to a certain special degree of consideration shall be conducted and tried by the Agent, in like conformity to usage and custom, with some relaxation of the rules of the general Regulations and some portion of attention to the points above specified for regulating his decisions in suits against individuals of the two superior classes.

---

[1] The words "Provincial Government" were substituted for the words "Governor in Council" by the Adapation of Indian Laws Order in Council.

[2] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[3] The word "which" was substituted for the words "whom" and "who", by the Adaptation of Indian Laws Order in Council.

[4] The word "it" was substituted for the word "he" *ibid.*

[5] These words were substituted for the words "King in Council" by the Adaptation of Laws Order, 1950.

[6] The words "to the Provincial Government" were substituted for the words "to Government", by the Adaptation of Indian Laws Order in Council.

An appeal to the Sadr Diwani Adalat against the Agent's decision shall be open to either party ; Appeal to Sadr Adalat.

the petition of appeal shall be presented, either to the Agent or to the Sadr Diwani Adalat, within ninety (90) days (which period may be extended for good reasons) after the Agent's decision was passed : the rules for trial and decision of such appeal shall be the same as those prescribed for the original trial of the suit ; with which view the instructions of the Agent, with regard to the defendant, shall be communicated [1][by the [2][State] Government] to the Sadr Diwani Adalat ; and a final appeal to the [3][Supreme Court] shall be open to either party [4]* * * * Limitation.

6. [*Certain classes of suits excluded from jurisdiction of Courts.*] *Rep. Act X of 1876.*

7. [*Pleaders ; jurisdiction ; appeals ; execution of decrees.*] *Rep. Act XIV of 1869.*

---

[1] The words " by the Provincial Government " were substituted for the words " by Government ", by the Adaptation Indian Laws Order in Council.

[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

[3] These words were substituted for the words " King in Council " by the Adaptation of Laws Order, 1950.

[4] The words " under the rules contained in the General Regulations with reference to such appeals from the decrees of the Sādr Diwani Adalat " were repealed by the Repealing Act, 1876 (12 of 1876).

APPENDIX A[1].

(See section 2, clause 1st.)

Territorial description of the Zilas in the Dekkhan and Khandesh, established under the Presidency of Bombay; formed of conquests from the Peshwa (proclamation of occupation, 11th February, 1818), and cessions from Holkar (treaty 6th January, 1818), Sindia (treaty 6th February, 1820) and the Nizam (treaty 12th December, 1822).

Zila of Puna.

The two (2) tarafs Haveli-Puna and Karyat-Maval

The fifteen (15) following villages of the taraf Keru Bára, namely :—

1 Sivra,
2 Kondhanpur,
3 Kalyan,
4 Rahtavda,
5 Ombra,
6 Arvi,
7 Divra,
8 Kamsa,
9 Khetkavla,
10 Kumbosi,
11 Gavardari,
12 Gogalvad,
13 Kaumthadi,
14 Khed Sivapur,
15 Kelvad.

The three (3) following villages of the taraf Musa Khora, namely :—

1 Jamli,
2 Sonapur,
3 Sangrun.

The three (3) following villages of the taraf Muta Khora, namely :—

1 Ambegaon,
2 Bhavli,
3 Ambi.

The two (2) following villages of the taraf Kánad Khora, namely :—

1 Vinjer,
2 Antroli.

[1]*The village of Apti, taraf Hardus-Maval.*

The eighteen (18) tarafs Sandus, Patas, Panbal, Mahlunga, Ausiri, Khed, Chakan, Ghoda, Vada, Ambegaon, Junna, Votur, Ala, Bela, Markhoda, Kokatner Minner and Narayangaon.

The ten (10) following villages of the taraf Kurda, namely :—

1 Ambi,
2 Khambori,
3 Baradi,
4 Lavki,
5 Nandur Kandumal,
6 Bhaugri,
7 Aldara,
8 Lingdi,
9 Ghasgaon,
10 Pimpalgaon Jog.

The three (3) tarafs Andar Maval, Nani Maval and Páud Khora.

---

[1] So much of Bom. Reg. 29 of 1827 as related to the villages of Jálihál, Tingni Bidri, Hongalhalli, Kárjol, Upadinni, Allasundeh and Boblad was repealed by Act 6 of 1842.

So much of this Appendix as declared the villages contained in the schedule to Act 11 of 1846 and the lands attached thereto (being parts of the parganas of Nandurbár, Sultánpur and Kukarmunda, in the province of Khandesh), subject to the Regulations established for the administration of civil and criminal justice in the Province of Bombay, was repealed by that Act.

So much of this Regulation as related to the following villages in the Puna District, *viz.* :—

1. The Punt Sucheo's village of Apti, Taraf Hardus-Maval,

2, 3, 4. The Punt Sucheo's villages of Watar, Bhambourdy and Gunund in that part of the Tarafs of Nir Thadi and Sirval which lie north of the Nira river, was repealed by Act 4 of 1868.

The thirty-two (32) following villages of the taraf Paun Maval, namely :—

1 Karunj,
2 Ambegaon,
3 Pusani,
4 Chandkhed,
5 Kila,
6 Shevti,
7 Sindgaon,
8 Pavla,
9 Kurda,
10 Siravli,
11 Ghivandi Alvan,
12 Apti,
13 Kauter Khadak,
14 Malavli,
15 Shivli,
16 Aridiv,
17 Shivner,
18 Bauver,
19 Thugaon,
20 Pardavdi,
21 Mahagaon,
22 Kusgaon,
23 Yelsi,
24 Bebarvohol,
25 Riha,
26 Pauchana,
27 Bersi,
28 Badavli,
29 Arra,
30 Ursi,
31 Gotavra,
32 Adala Khurd.

The three (3) tarafs Kari Pathar, Sasvad and Supa.

So much of the two (2) *tarafs Nir Thadi and Sirval as lies north of the Nira river*[1].

The six (6) tarafs Indapur Baramati Mohol, Under tappa to the west of the Sina er Bhusa and Temburni.

The four (4) following villages of the taraf Karkam, namely :—

1 Gursali,
2 Badalkot,
3 Karola,
4 Ujini.

The two (2) following villages of the taraf Kathi, namely :—

1 Sorsti,
2 Shankargaon.

The three (3) tarafs Sholapur, Ahirvadi and Mandrup.

The five (5) following villages denominated the Sammot Phutgaon, namely :—

1 Andal,
2 Muranchi,
3 Nerkhed,
4 Darphal,
5 Mangrul.

The seven (7) tarafs Indi, Tamba, Hippargi, Julvad-Kokatnur, Almel, Bardul and Ukli.

The three (3) following villages of the taraf Haveli Bijapur, namely :—

1 Ukmanhal,
2 Kaulga,
3 Ahleabad.

The four (4) following villages of the taraf Horti, namely :—

1 Ranjanhal,
2 Minchanhal,
3 Tilihal,
4 Kyatilkir.

The qasba of Sindgi.

[1] As to three of the villages in these tarafs, *see* the first footnote on p. 27, *supra*.

The six (6) following villages of the taraf Honvad, namely :—

1 *Jalihal*,[1]	4 Arahalli,
2 Ramtirat,	5 Kaltavteghi,
3 Yetinhal,	6 Ghonasghi.

The seven (7) following villages of the taraf Anti, namely :—

1 Aralhatti,	5 Balgheri,
2 Abihal,	6 Sambarga,
3 Tangarri,	7 Bemanhl.
4 Mangsula,	

The two (2) following villages of taraf Halsanghi, namely :—

1 Bhatgunk,	2 Gotihal.

The six (6) following villages, namely :—

1 Avakor,	4 *Tingni Bidri*,[1]
2 Hina Parsalghi,	5 *Hongalhalli*,[1]
3 Surpal,	6 *Karjol*.[1]

The two (2) tarafs Talikoti and Nalatvad.

The qasba of Bagevadi and the two (2) villages of Masbinal and Yerval.

The four (4) following villages in the taraf Muhammadpur, namely :—

1 Jaynapur,	3 *Upaldinni*,[1]
2 Budeni,	4 Gurodhal.

The village of Bhaganagar, taraf Sednak.

The seven (7) following villages of the taraf Chimalghi, namely :—

1 Disalkop,	4 Golsinghi,
2 Mijarkop,	5 Gharri,
3 Murkatihal,	6 Liklevadi,

7 Maundghi.

Zila of Ahmednagar.

(Ahmednagar Collectorship.)

Barsi Panch Mahals.

The Peshwa's share of the pargana Doka.

The village of Vaghola in the Dharur pargana.

So much of the pargana Haveli-Parinda as lies west of the Sina river and village of Sanori to the east of the said river.

The two (2) parganas of Jamkhed and Vanghi.

The Peshwa's share of Prant Karrevarit and that part of the Nizam's share which lies west of the Sina river.

The Peshwa's share of the Ashti pargana and the taraf Manur.

The two (2) tarafs Naga Haveli and Ranjangaon.

The Pargana Parner.

The nine (9) following villages in taraf Belha, namely :—

1 Davalgaon,	4 Babra,	8 Ukargaon,
2 Orngaon,	5 Kolgaon,	8 Isapur,
3 Karnjavan,	6 Sidori,	9 Andalgaon.

The two (2) parganas of Kharda and Nevasa, except the village of Jalka.

The two (2) tarafs Ganji-Bhoyra and Vavrad.

The pargana Bargaon Nandur.

[1] *See* the first footnote on p. 27, *supra*.

The Peshwa's share of the two (2) parganas Bijapur and Gandapur, together with the village of Takli.

The pargana Sangamner, together with the three (3) qasbas of Rahata, Puntambo and Whava.

The thirteen (13) parganas Dhandarphal, Kotul, Akola, Sinnar, Kumbhari, Patoda, Nasik, Trimbak, Vaghera, Vani, Dindori, Shevgaon and Chandor.

(*Khandesh Collectorship.*)

The thirteen (13) parganas Laling, Songir, Ner, Amalner, Betavad, Dhangri, Garondol, Jalod, Chandshahar, Bhadgaon, Bhal, Utran and Masva.

The pargana Pachora which belongs to Sindia, but is governed by the British.

The taraf Lohara-Haveli which belongs to Sindia, but is governed by the British.

The taraf Sangvi, in the Lohara pargana.

The five (5) parganas Shendurnit, Chalisgaon, Rajdesh, Mahombarai and Manikpuri.

The eighteen (18) following villages of the Kana Pargana, namely :—

1. Rolter,
2. Rohilla,
3. Porkri,
4. Malligaon,
5. Champaner,
6. Hingna,
7. Naydongri,
8. Sahkegaon,
9. Kadra,
10. Kanedi,
11. Jalgaon.
12. Jamdi,
13. Tunvana,
14. Palasgaon,
15. Malpur,
16. Vetalpur.
17. Makrandarpur,
18. Narsinhpur.

The two (2) qasbas of Ranjangaon and Jategaon.

The twenty-four (24) parganas Galna, Chikhalvohol, Tokra, Jhodga, Lohoner, Vakhari, Sandas, Jayteypur, Pissol, Tilvad, Korali, Otur, Pala, Hatgad, Kanasi, Pimpla, Pimpalner, Dhaiva, Varsa, Bhamen, Navapur, [1]*Nandurbar, Sultanpur and Kukarmunda.*

The three (3) qasbas of Pankera, Umarpatta and Chaupala.

The principality of Akrani.

The pargana of Chopda which belongs to Sindia, but is governed by the British.

The two (2) parganas of Thálner and Amba.

The qasba of Sindva.

The pargana of Yával which belongs to Sindia, but is governed by the British.

The two (2) parganas of Adávad and Sávda.

The village of Chángdev.

The pargana of Ráver, including the taraf of Pál.

The four (4) parganas of Nasirabad, Jámner, Bodvad and Bornar.

[1] *See* the first footnote on p. 27, *supra*.